

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:22-cr-0088

vs.

GREGORY J. CAIN,

District Judge Michael J. Newman

Magistrate Judge Caroline H. Gentry

Defendant.

ORDER: (1) ADOPTING THE REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE (Doc. No. 29); (2) GRANTING THE PARTIES' JOINT MOTION TO CHANGE PLEA (Doc. No. 24); (3) ACCEPTING DEFENDANT'S PLEA OF GUILTY AS CHARGED IN COUNT 1(a) OF THE INDICTMENT; AND (4) DEFERRING THE DECISION OF WHETHER TO ACCEPT THE PLEA AGREEMENT UNTIL THE SENTENCING HEARING

This criminal case is before the Court on the Report and Recommendation of the United States Magistrate Judge (Doc. Nos. 29), recommending that the Court accept Defendant's guilty plea. There being no objections, the Court **ADOPTS** the Report and Recommendation in full. The parties' joint motion to change plea (Doc. No. 24) is **GRANTED**, and the Court **ACCEPTS** Defendant's plea of guilty as charged in Count 1(a) of the Indictment, which charges him with conspiracy to possess with intent to distribute 40 grams or more of a mixture or substance containing a detectable amount of fentanyl, in violation of 21 U. S.C. §§ 841(a)(1) and (b)(1)(B). The Court will defer the decision of whether to accept the plea agreement until the sentencing hearing.

IT IS SO ORDERED.

August 23, 2023

s/Michael J. Newman

Hon. Michael J. Newman

United States District Judge